IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.57430-M of 2006

DATE OF DECISION:13.11.2006

Mohir Choksi & Anr. .....Petitioners

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Mrs. Baljit Mann, Advocate
for the petitioners.

Shri M.S. Sindhu, DAG, Haryana.

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The petitioners apprehending their arrest in a non-bailable offence in pursuance of non-bailable warrants issued against them in case FIR No. 263 dated 20.4.2002 under Sections 406/420 IPC, registered at Police Station City, Rohtak, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that the petitioners were on regular bail and on 12.6.2006, they could not appear before the trial Court due to some unavoidable circumstances and they moved an application for exemption from personal appearance. The said application was dismissed by the trial Court and bail bonds of the petitioners were cancelled and they were summoned through non-bailable warrants. Counsel further contends that the complainant in this case has filed a complaint under Section 138 of the Negotiable Instruments Act and Section 420 IPC as well as the aforesaid FIR, pertaining to the same cheque.

Counsel for the petitioners further contends that in view of the order dated 21.9.2006, the petitioners have appeared before the trial Court and furnished their regular bail bonds which have been accepted and attested and since then they are regularly appearing before the trial Court.

These facts have not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 21.9.2006 is made absolute.

Disposed of accordingly.

November 13, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**